

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

G&G, LLC, :
Plaintiff, :
v. : C.A. No. 07-440 (SLR)
JAMES L. HYDE, *et al.*, ::
Defendants. :
:

JOINT STIPULATION AND ORDER REGARDING DISCOVERY DEADLINES

WHEREAS, the parties have been engaged in substantial settlement negotiations and believe additional time is necessary to conclude those negotiations; and

WHEREAS, the parties have agreed to prior extensions to answer the complaint and believe an extension of the discovery schedule is warranted to further settlement discussions.

NOW THEREFORE, subject to the approval of the Court, the undersigned counsel agree that the schedule set forth in the Order entered in this case on December 18, 2007, shall be modified as follows:

Discovery.

- (a) All fact discovery shall be commenced in time to be completed by October 10, 2008.
- (b) Each deposition is limited to a maximum of 8 hours unless extended by agreement of the parties.

(c) Reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof due by October 31, 2008. Rebuttal expert reports due by November 21, 2008.

(d) Expert discovery shall be concluded by December 1, 2008.

All other aspects of the December 18, 2007 Order will remain in place.

Dated: June 23, 2008

ZUCKERMAN SPAEDER LLP

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Investment Partners, LP,
Walnut Private Equity Fund, LP,
The Walnut Group, Millevere
Holdings Limited, Daniel Yarnell
James Gould, Simon Wright, Walt
Spokowski

SO ORDERED this _____ day of _____, 2008.

The Honorable Sue L. Robinson
United States District Judge

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G&G, LLC, :
: Plaintiff, :
: v. : C.A. No. 07-440 (SLR)
: JAMES L. HYDE, *et al.*, ::
: Defendants. :
:

CERTIFICATION OF COUNSEL

I, Virginia W. Guldi, an associate at Zuckerman Spaeder LLP and Delaware counsel to G&G, LLC (“G&G”), hereby certify as follows:

1. Plaintiff, G&G and Defendants Brand Equity Ventures II, LP, Walnut Investment Partners, LP, Walnut Private Equity Fund, LP, The Walnut Group, Millevere Holdings Limited, Daniel Yarnell, James Gould, Simon Wright, and Walt Spokowski have been engaged in substantial settlement negotiations and believe additional time is necessary to conclude those negotiations.

2. A Joint Stipulation and Order Regarding Discovery Deadlines (the “Joint Stipulation”) to modify the December 18, 2007 Scheduling Order (the “Existing Order”) has been submitted to the Court. The Joint Stipulation sought an Order extending, in part, the Existing Order (Docket No. 52).

3. The existing deadline for all parties to conclude fact discovery is June 23, 2008. The existing deadline for parties to file expert reports is July 14, 2008 and rebuttal expert reports are due by August 4, 2008. All expert discovery is currently scheduled to conclude by August 22, 2008.

4. The Plaintiff and the Defendants have been in settlement negotiations for some time. Since some of the claims may be subject to insurance coverage, insurance companies are also involved.

5. In order to accommodate ongoing settlement negotiations, the Plaintiff and the Defendants have agreed to a proposed modification of the existing Order that will not affect the January 26, 2009 trial date. In conjunction with this proposed modification to the existing Order, the parties have stipulated in the Joint Stipulation and have agreed that: (a) fact discovery shall be commenced in time to be completed by October 10, 2008; (b) Reports from retained experts under Rule 26(a)(2) on issues for which any party has the burden of proof are due by October 31, 2008; (c) Rebuttal expert reports are due by November 21, 2008; and (d) All expert discovery shall be concluded by December 1, 2008. All other provisions of the December 18, 2007 Scheduling Order shall remain in full force and effect, including, but not limited, to the trial date scheduled for January 26, 2009.

6. Counsel for the Plaintiff and counsel for the Defendants have sent a copy of the proposed Stipulation and Order Regarding Discovery Deadlines to their respective clients.

WHEREFORE, the Plaintiff respectfully request that the Court enter an Order approving the the Joint Stipulation.

Dated: Wilmington, Delaware
June 23, 2008

ZUCKERMAN SPAEDER LLP

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Counsel for G&G LLC

CERTIFICATE OF SERVICE

I, Virginia Whitehill Guldi, hereby certify that on this 23rd day of June, 2008, I caused a copy of the foregoing to be served by first class mail, postage pre-paid, on the following:

Michael A. Weidinger (ID No. 3330)
500 Delaware Ave., Suite 1500
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Wilmington, DE 19899

/s/ Virginia Whitehill Guldi
Virginia W. Guldi (ID No. 2792)